

**Schedule 4.10
Litigation
Part C: EEOC Claims**

Claimant	Respondent	Store Location	Store No.	Claim Type	Date of Incident	Date Claim Filed	Date Response Filed	Status	Field HR Contact	File is... (L) =litigated
Bailey, Gwendolyn	Mid-Atlantic Restaurant Systems, L.P.	Glenside, PA	364	Sex, Race, & Age Discrimination	12/14/1996	02/24/97	09/09/97	Pending Determination	Robert Taylor	Active
Baker, Darrell	Mid-Atlantic Restaurant Systems, Inc.	Bryn Mawr, PA	378	Race Discrimination	7/12/1999	08/03/99	11/15/99	Pending Determination	Ross Pagano	Active
Black, Richard	P&L Food Services, L.L.C.	Orlando, FL	186	Race Discrimination	10/29/1995		08/30/96	Settled 3/26/99	Leslie Lupu	Closed(L)
Bowman, Carolyn	Mid-Atlantic Restaurant Systems, Inc.	Philadelphia, PA	1095	Sex Discrimination	11/29/1995	05/20/97		Settled for \$2400 on 5/14/97 per Charles Brown, files not retained over on year		Closed
Broadnax-Hill, Marlene	BC Great Lakes, L.L.C.	Burton, MI	2735	Race Discrimination	7/25/1997	08/28/97	09/26/97	Insufficient Evidence to support the claim - dismissed on 9/11/98	Mary Spitzer	Closed
Brown, Richard	BC Boston, L.P.	Chelmsford, MA	1630	Race Discrimination	1/20/1999	03/09/99		Copy of charge included w/representation letter from attorney on 3/28/99. Formal charge from Commission recvd. 10/18/99 - Response due 11/8/99	Bob Taylor	Active
Brown, Steve	Mid-Atlantic Restaurant Systems, Inc.	Harrisburg, PA	2070	Race Discrimination	7/1/1998	07/31/98	12/30/98	Pending Determination	Ross Pagano	Active
Bulla, Thomas	Mid-Atlantic Restaurant Systems, Inc.	Philadelphia, PA	1095	Discrimination - Disability and Age	9/1/1996	11/09/98	04/07/99	Pending Determination - additional information requested	Robert Taylor	Active(L)
Bullock, Sheldon	Mid-Atlantic Restaurant Systems, Inc.	Ardmore, PA	383	Race Discrimination	12/23/1997	06/03/98	08/12/98	No Probable Cause 6/25/99	Ross Pagano	Closed
Campbell, Jamice	Mayfair Partners, L.P.	Greenbelt, MD	705	Sex Discrimination & Sexual Harassment	4/3/1995	02/20/97		Notice of Right to Sue issued 3/18/97 by request. Suit filed 6/9/97.		Active(L)
Carter, Thomas	Finest Foodservice, L.L.C.	Omaha, NE	338	Race, Color & Age Discrimination	11/1/1996	10/03/97	11/21/97	Pending Determination	Mary Spitzer	Active
Chavez, Cynthia	Finest Foodservice, L.L.C.	Omaha, NE	549	Discrimination - National Origin, Sex, Disability & Retaliation	4/8/1997		10/22/97	No Reasonable Cause - NEOC 4/16/99	Mary Spitzer	Closed
Cruz, Simon	BC New York, L.L.C.	New Hyde Park, NY	225	Discrimination - National Origin	7/24/1997	08/13/97	09/23/97	Pending Determination	Robert Taylor	Active
Cruz, Wilder	BC New York, L.L.C.	New Hyde Park, NY	225	Discrimination - National Origin	7/24/1997	08/13/97	Pending	Preparing response	Robert Taylor	Active
Donaldson, Amanda	Mayfair Partners, L.P.	Severna Park, MD	246	Sexual Harassment	9/21/1998	03/16/99	06/14/99	Pending Determination (Also see Stephanie Poore)	Ross Pagano	Active
Donnell, Joni	Mid-Atlantic Restaurant Systems, Inc.	Langhorne, PA	154	Sex Discrimination & Disability	6/25/1998	06/25/98	12/30/98	Pending Determination	Ross Pagano	Active
Duncan, David and Barbara	BC Superior, L.L.C.			Discrimination - Age & Disability	5/27/1997	10/09/97	10/29/97	Right to Sue issued 4/30/98 upon request, Suit filed 7/16/98		Active(L)
Dunson, Demetress	BC GoldenGate, L.L.C.	Vallejo, CA	1605	Race Discrimination	11/8/1997	06/17/98	09/23/98	Insufficient Evidence to Prove a Violation of Statute and Case Closure Notice effective 6/15/99. Claimant has 1 year to file suit.	Chris Denning	Closed
Eastman, Charity	BC Boston, L.P.	Haverhill, MA	1522			07/01/97		Hill & Barlow retained as counsel. Settlement Agreement drafted & agreed to, but not executed before BK.		Active(L)
Ericson, Kevin L.	Boston Chicken, Inc.	Support Center		Disability Discrimination	5/8/1995	06/02/95	07/18/95	Dismissed 1/30/98 - no violation of statutes, Right to Sue expired		Closed
Esparza, Angela	BCE West	Las Vegas, NV	1045	Disability Discrimination	11/27/1996	06/30/97		Settled November 1998 with a neutral letter of recommendation.		Closed
Geter, Shukriyyah	Mid-Atlantic Restaurant Systems, Inc.	Springfield, PA		Religious Discrimination	7/31/1996			Settled		Closed
Getkin, Lizabeth A.	P&L Food Services, L.L.C.	PA		Sex Discrimination	9/2/1995			Right to Sue issued 6/23/98	Tom Durishan	Closed
Green, Kenneth O.	R&A Food Services, L.P.	Tallahassee, FL	810	Race Discrimination	8/5/1997	01/16/98	01/22/99	Pending Determination	Leslie Lupu	Active
Haggerty, Michael		Arlington, TX		Race Discrimination	3/1/1994	07/14/94		Right to sue issued 5/96 - Complainant filed suit 8/5/96 and Motion for Summary Judgment was filed on 11/7/97 - judgment entered in our favor on 12/18/97		Closed
Head, Deanna	BC GoldenGate, L.L.C.	Livermoor, CA	1557	Sexual Harassment, Sex Discrimination	6/1/1998	08/08/98	01/15/99	Dismissed 5/4/99 (no cause)	Chris Denning	Closed
Huitt, Diane	Boston Chicken, Inc.	Gastonia, NC	788	Race Discrimination	7/26/1997	10/17/97		Settled 4/20/99		Closed
Ignarro, Dennis	Boston West, L.L.C.	Woodland Hills, CA	755	Discrimination - Sexual Orientation and Sexual Harassment	3/19/1998			Right to Sue issued upon request 7/31/98, Complainant subsequently filed an amended charge on 11/25/98, which was dismissed as the file was closed with the DFEH when the Right to Sue was issued.		Closed

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Janey, William II	BC New York, L.L.C.	Washington, DC	420	Sexual Harrassment	4/25/1995	10/03/97		No Probable Cause 8/10/98, Request for Reconsideration filed 9/11/98, No Probable Cause finding affirmed 2/17/99		Closed
Johnson, Melissa	BC Tri-States, L.L.C.							Right to Sue issued and expired		Closed
Kennedy, William	Finest Foodservice, L.L.C.	NE		Race, Color and Age Discrimination	1/1/1994	07/02/97	08/21/97	Administrative Dismissal 12/18/98, Complainant refused to cooperate	Mary Spitzer	Closed
Lamont, Donnalyne P.	BC New York, L.L.C.	New York, NY	695	Sex Discrimination & Retaliation	9/11/1998	06/28/98	09/30/99	Pending Determination	Ross Pagano	Active
Lane, Tammi J.	Boston Market	Norfolk, VA	2396	Gender & Race Discrimination	12/13/1997	01/12/98	2/98	EEOC was unable to conclude that the information obtained establishes violations of the statutes.	Gary Kelleher	Closed
Lopez, Gladys	Finest Foodservice, L.L.C.	Lincoln, NE	673	National Origin Discrimination & Retaliation	9/25/1998	10/07/98	02/15/99	No Reasonable Cause Determination by NEOC on 6/15/99, and LCHR on 3/25/99. On 9/24/99, Notice was received by the District EEOC of their receipt of charge from the NEOC for review - unable to establish violation of statutes 10/21/99, 90 Right to Sue.	Mary Spitzer	Closed
Lopez, Gladys	Finest Foodservice, L.L.C.	Lincoln, NE	673	Sex & National Origin Discrimination	1/26/1998	02/04/98	02/16/98	No Reasonable Cause Determination by NEOC on 1/28/99, and LCHR on 6/4/98, and the District EEOC on 4/13/99	Mary Spitzer	Closed
Manley, Carleton Frederick	BC GoldenGate, L.L.C.	Fresno, CA	671	Race Discrimination	4/3/1999	05/03/99	07/06/99	Pending Determination	Chris Denning	Active
McDavid, Shonisha	Finest Foodservice, L.L.C.	Omaha, NE	338	Discrimination - Race, Color, Sex	4/1/1997	10/1/97	11/21/97	Suggestion of Bankruptcy filed 7/15/99. Probable cause found on 5/21/99 on the basis of demotion based on sex. Claimant offered job back - no response - NEOC administratively closed and dismissed.	Mary Spitzer	Closed
McPherson, Kathleen	BC Boston, L.P.	Somerville, MA		Sex Discrimination	10/17/1996	04/09/97		Right to Sue issued 9/29/98		Closed
Mease, Vicki L.	Finest Foodservice, L.L.C.	Omaha, NE	338	Discrimination - Race, Color, Disability	8/22/1997	09/02/97	10/09/97	Reasonable Cause found on 9/17/99 on the basis of "Denial of medical benefits on the basis of race and/or disability" We will not agree to requests in the conciliation Agreement - Right to Sue will be issued	Mary Spitzer	Active
Menendez, Jose L.	Mayfair Partners, L.P.	Chevy Chase, MD						Right to Sue issued 6/24/98		Closed
Meseke, Judith	R&A Food Services, L.P.	Hoover, AL	2372	Sexual Harrassment	9/18/1998	09/23/98	04/12/99	Right to Sue issued 5/4/99 upon request	Leslie Lupu	Closed
Molina, Jacqueline	BC New York, L.L.C.	N. Massapequa, NY	144	Race & Sex Discrimination	6/22/1999	06/30/99	09/15/99	Pending Determination	Robert Taylor	Active
Morgan, Donald	P&L Food Services, L.L.C.	Chicopee, MA	62	Discrimination - Race & Sexual Orientation	2/27/1996	03/06/96		Probable Cause finding on 12/22/98, Post-Determination Discovery ordered 3/11/99, Discovery served on P&L 6/28/99	Robert Taylor	Active(L)
Omari, Ansong S.	BC New York, L.L.C.	Fairfield, CT		Race & National Origin Discrimination	2/10/1997	04/23/97		Dismissed for No Reasonable Cause on 12/29/98		Closed
Osman, Lee Victor	B.C.B.M. Southwest, L.P.	TX		Age Discrimination	5/24/1997	08/08/97		Right to Sue issued upon request - suit filed on 4/26/99		Active(L)
Piper, Dorothy Ann	Mid-Atlantic Restaurant Systems, Inc.	Chambersburg, PA	599	Discrimination - Sex & Age, Sexual Harrassment		11/18/96		PHRC administratively closed the complaint on 5/25/99.	Ross Pagano	Active(L)
Piper, Dorothy Ann	Mid-Atlantic Restaurant Systems, Inc.	Chambersburg, PA	599	Retaliation	1/15/1997	03/12/98	05/19/98	PHRC administratively closed the complaint and issued Right to Sue on 3/30/99. Complainant filed suit 3/8/99	Ross Pagano	Active(L)
Poore, Stephanie	Mayfair Partners, L.P.	Severna Park, MD	246	Sexual Harrassment	10/24/1998	03/22/99	N/A	Right to Sue requested and issued 3/31/99 - no response prepared - suit filed July 1999 (Also see Amanda Donaldson)	Ross Pagano	Active(L)
Rao, Veronica	Mid-Atlantic Restaurant Systems, Inc.	PA		Retaliation, Disability Discrimination & Sexual Harrassment	3/9/1996	12/12/96		Settlement reached for \$7,500 and Agreement signed on 10/6/98 - POC filed by Claimant on 11/5/98		Active(L)
Reid, Nathan	BC Great Lakes, L.L.C.	IL						Matter settled - claim closed 3/9/99	Mary Spitzer	Closed
Robinson, Andre	Mid-Atlantic Restaurant Systems, Inc.	Ardmore, PA	383	Sexual Harrassment, Race Discrimination, Retaliation	12/9/1998	03/24/99	07/07/99	Matter settled - reinstatement of position 11/9/99	Ross Pagano	Closed
Rogowski, Robert	BC Tri-States, L.L.C.	Shelton, CT	2451	Discrimination - Disability	6/19/1998	10/16/98	01/04/99	Dismissed 3/24/99, pending request for reconsideration filed on 4/14/99	Robert Taylor	Active
Rowell, Rojan Wade	R&A Food Services, L.P.	Hoover, AL	2372	Sexual Harrassment	9/22/1998	10/02/98	03/12/99	Dismissed 4/30/99 (requested Right to Sue)	Leslie Lupu	Closed

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Sanders, John	BC Tri-States, L.L.C.			Age Discrimination	11/12/1997	12/23/97	04/02/98	Claimant has requested file transferred to Office of Administrative Law on 9/22/99 as more than 180 days has passed w/no determination. They will notify when hearing date has been scheduled	Ross Pagano	Active(L)
Schickel, Mark C.	BC Superior, L.L.C.	Louisville, KY	1058	ADA	7/1/1998	10/16/98		Dismissed 2/10/99 - no violation of statutes established		Closed
Simmons, Cheryl	Finest Foodservice, L.L.C.	Maplewood, MN	1063	Sexual Harassment	2/20/1998	11/23/98	02/25/99	Dismissed 4/14/99 (no cause)	Mary Spitzer	Closed
Siu, Stephen	Mid-Atlantic Restaurant Systems, L.P.			Discriminonnn - National Origin	8/10/1997	08/27/97	11/23/97	Right to Sue issued 5/20/99 due to Chapter 11, Claimant has filed a POC	Ross Pagano	Active(L)
Small, Lexie M.	BC Boston, L.P.	Allston, MA	34	Sexual Harassment	4/3/1999	05/11/99	06/14/99	Pending Determination	Robert Taylor	Active
Smith, Marc	BC Boston, L.P.	MA		Discrimination based on National Origin and Sexual Harassment		12/30/96		Dismissed 10/20/98 - no violations of statutes established	Robert Taylor	Closed
Somers, Suzanne	Mid-Atlantic Restaurant Systems, Inc.	Dunmore, PA	1538	Sex Discrimination	8/1/1996	04/18/97	10/01/97	Pending Determination	Ross Pagano	Active
Stephens, Dawn	Finest Foodservice, L.L.C.	St. Louis, MO	1148	Sex Discrimination, Sexual Harassment, Constructive Discharge	10/14/1997	10/31/97		Notice of Right to Sue issued 5/4/98 - administratively closed. Suit filed 5/8/98		Active(L)
Strickland, Crystal	BC Superior, L.L.C.	Moraine, OH	522	Sex Discrimination	3/21/1997	04/09/97		Withdrawal of Charge Form filed 5/23/97		Closed
Suneus, Rendel, Rollins, Andres, Boswell Tyron	BC Boston, L.P.	Boston, MA	1782	Sexual Harassment and Retaliation	1/1/1998	10/19/98	01/22/99	Pending Determination	Robert Taylor	Active
Taylor, Erin	Platinum Rotisserie, L.L.C.	Charlotte, NC	653	Sexual Harassment		01/16/97	03/25/97	Settled - Claim withdrew 1/29/98		Closed
Vargas, Clara	Boston Market et al	Kissimmee, FL	560	Gender Discrimination, Sexual Harassment	5/1/1997	03/30/98		State Division of Human Rights issued dismissal on the grounds of administrative convenience, Complainant filed suit with the U.S. District Court, NY on 12/1/98		Active(L)
Vasquez, Robert P.	R&A Food Services, L.P.	Weston, FL	267	Age Discrimination	1/1/1998	03/12/98	02/18/99	Dismissed 3/23/99 (no cause)	Leslie Lupu	Closed
Washington, Phelisha	BC GoldenGate, L.L.C.			Sexual Harassment				Dismissed by EEOC and DFEH		Closed
Watkins, Dean	BC Superior, L.L.C.	Cincinnati, OH						Settled		Closed
Williams, James E.	Boston Rotisserie Chicken	Lodi, NJ		Race Discrimination	5/26/1994	06/28/94	09/19/94	Per Hector Ayala, NJ Civil Rights office (on 10/15/99), case was closed 9/26/95 because complainant was uncooperative, records are only kept for 2-3 years, file no longer exists		Closed
Wilson, James	R&A Food Services, L.P.	Altamonte Spgs, FL	177	Race Discrimination	7/13/1997			Pending Determination	Leslie Lupu	Active(L)
Windsor, Krista	B.C.B.M. Southwest, L.P.			Sex Discrimination, Wrongful Termination	8/1/1996	11/08/96		Right to Sue issued 1/13/98, Suit filed 2/19/98		Active(L)
Wood, Douglas W.	Boston Chicken, Inc.	Hoover, AL	2373	Sexual Harassment, Sex Discrimination, Retaliation	4/1/1998	09/08/98		Dismissed - No violation of statutes, Right to Sue Issued 1/4/99		Closed